

**TESTIMONY OF PROFESSOR JOCELYN BENSON, ESQ.**  
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**BEFORE THE MICHIGAN HOUSE COMMITTEE ON ETHICS AND ELECTIONS**  
**HEARING ON HB 4097**  
**APRIL 1, 2009**

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Good morning. I am Jocelyn Benson, a law professor from Wayne State University Law School and the founder of the Richard Austin Center on Election Law and Administration. The views underlying my testimony are solely my own, informed by my work as an election law specialist and scholar, and not necessarily those of Wayne Law or the Richard Austin Center.

I would like to thank the House Committee on Ethics and Elections for holding a hearing on this important legislation to reduce barriers to voting in Michigan.

As many of you know, we are living in a crucial time for elections in Michigan. Though we were seventh in the nation in turnout in 2008, many laws that govern our state's democratic process are antiquated and outdated. Our failure to innovate in recent years is nowhere more apparent than in the fact that we are far behind other states in how we administer the absentee voting process.

In November 2008, it was not out of the ordinary for Michigan voters to wait hours to cast their ballots. At one point in Detroit's Beth Eden Baptist Church, hundreds of people stood in line, waiting five hours to vote.

Promoting voter confidence in the integrity and efficiency of our democratic process needs to be a concern for our state leaders and all Michigan citizens. A voter's personal experience in casting a ballot shapes how they view the entire process. When voters leave a polling place frustrated or confused, or have to wait in line several hours to vote, it threatens the very confidence and participation that is essential to a healthy democracy.

But as you all know, common sense solutions exist. Michigan is one of only a handful of states with restrictions on absentee voting. Unlike most states, our laws do not allow voters to vote early, vote on the weekend, or vote absentee without having to submit a reason. In fact, Michigan is one of just fourteen states that require an excuse for in-person absentee voting. Our neighbors in Ohio, Wisconsin, Iowa, and almost 30 other states are able to vote absentee freely, without having to provide an "excuse" or "reason."

In addition, voters in states that allow for early or "no reason" absentee voting experience less bottleneck and shorter wait times when they cast their ballots. Any potential for fraud is eliminated through identification requirements that already prevent the possibility of voter impersonation.

I believe that we have the best democracy in the world. And Michigan has a history of clean and fair elections. But if we fail to innovate and enact meaningful nonpartisan policies, like no reason absentee voting, that most voters in other states already benefit from, our state will fall behind.

It is time to move beyond partisanship and implement inclusive, common sense solutions to the problems that plague our electoral process. Our democracy must be efficient, accessible, and transparent, and we must ensure that all voters have a positive experience when they exercise their fundamental right. Allowing for voters to cast absentee ballots without requiring they provide a reason or excuse will increase the accessibility of the voting process for all of our citizens. And our voters deserve no less.

Thank you again for allowing me to present this testimony in favor of House Bill 4097.